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JC62 MAY 29 2001 TRADEMARK OFFICE

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/722,070	11/24/2000	Brian S. Kelleher	18608-002910

CONFIRMATION NO. 3576

FORMALITIES LETTER

OC000000005912585

20350
TOWNSEND AND TOWNSEND AND CREW
TWO EMBARCADERO CENTER
EIGHTH FLOOR
SAN FRANCISCO, CA 94111-3834

Date Mailed: 03/28/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
 Applicant must submit $ **355** *to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is $499.
 - **$324** for **36** total claims over 20.
 - **$40** for **1** independent claims over 3 .
 - **$135** for multiple dependent claim surcharge.
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of $65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is $ 919.**

A copy of this notice MUST be returned with the reply.

05/31/2001 ETULU1 00000021 201430 09722070

01 FC:201 355.00 CH
02 FC:203 315.00 CH
03 FC:202 40.00 CH
04 FC:204 135.00 CH
05 FC:205 69.00 CH

AM

Customer Service Center
Initial Patent Examination Division (703) 308-1202
PART 2 - COPY TO BE RETURNED WITH RESPONSE

09722070 00000007 201430
18.00 CH
06/20/2001 NLUONG
01 FC:203

PTO/SB/17 (09-00)
Approved for use through 10/31/2002. OMB 0651-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
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FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

OIPE JC62
MAY 29 2001
PATENT & TRADEMARK OFFICE

TOTAL AMOUNT OF PAYMENT ($) 91

Complete if Known	
Application Number	09/722,070
Filing Date	November 24, 2000
First Named Inventor	KELLEHER, BRIAN , et. al.
Examiner Name	
Group Art Unit	
Attorney Docket No.	18608002910

METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number: 20-1430

Deposit Account Name: Townsend and Townsend and Crew LLP

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☒ Applicant claims small entity status. See 37 CFR 1.27

2. ☐ **Payment Enclosed:**

☐ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Fee Code	Large Entity Fee ($)	Small Fee Code	Small Entity Fee ($)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	355
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1) ($)355

2. EXTRA CLAIM FEES

			Extra Claims		Fee from below		Fee Paid
Total Claims	55	-20** =	35	X	$9	=	$315
Independent Claims	4	-3** =	1	X	$40	=	$40
Multiple Dependent	1			X	$135	=	$135

Large Fee Code	Large Entity Fee ($)	Small Fee Code	Small Entity Fee ($)	Fee Description
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim, if not paid
109	80	209	40	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) ($)490

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Fee Code	Large Entity Fee ($)	Small Fee Code	Small Entity Fee ($)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	65
127	50	227	25	Surcharge - late provisional filing fee or cover sheet.	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive – unavoidable	
141	1,240	241	620	Petition to revive – unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	
Other fee (specify)					

The Commissioner is authorized to charge any additional fees to the above noted Deposit Account.

*Reduced by Basic Filing Fee Paid SUBTOTAL (3) ($)65

SUBMITTED BY

Complete *(if applicable)*

Name (Print/Type)	David Heckadon	*Registration No. (Attorney/Agent)*	Limited Recognition	*Telephone*	650-326-2400
Signature	David Heckadon			*Date*	May 24, 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231. PA 3147545 v1

Please type a plus sign (+) inside this box → [+]

PTO/SB/21 (08-00)
Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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OIPE JC62
MAY 29 2001
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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	09/722,070
		Filing Date	November 24, 2000
		First Named Inventor	KELLEHER, BRIAN , et. al.
		Group Art Unit	
		Examiner Name	
Total Number of Pages in This Submission	1	Attorney Docket Number	18608002910

ENCLOSURES *(check all that apply)*

☒ Fee Transmittal Form	☐ Assignment Papers *(for an Application)*	☐ After Allowance Communication to Group
☐ Fee Attached	☐ Drawing(s)	☐ Appeal Communication to Board of Appeals and Interferences
☐ Amendment / Response	☐ Licensing-related Papers	☐ Appeal Communication to Group *(Appeal Notice, Brief, Reply Brief)*
☐ After Final	☐ Petition Routing Slip (PTO/SB/69) and Accompanying Petition	☐ Proprietary Information
☐ Affidavits/declaration(s)	☐ Petition to Convert to a Provisional Application	☐ Status Letter
☐ Extension of Time Request	☐ Power of Attorney, Revocation Change of Correspondence Address	☒ Other Enclosure(s) *(please identify below)*: **Copy of Notice to File Missing Parts** **Power of Attorney** **Declaration** **Letter to Official Draftsperson** **Formal Drawings**
☐ Express Abandonment Request	☐ Terminal Disclaimer	
☐ Information Disclosure Statement	☐ Request for Refund	
☐ Certified Copy of Priority Document(s)	☐ CD, Number of CD(s)	
☒ Response to Missing Parts/ Incomplete Application	Remarks	The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.
☐ Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm and Individual name	Townsend and Townsend and Crew LLP David Heckadon Limited Recognition
Signature	David Heckadon
Date	May 24, 2001

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: May 24, 2001

Typed or printed name	Kimberly Badiei		
Signature	Kimberly Badiei	Date	May 24, 2001

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be send to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

PA 3147547 v1

MAY 29 2001
PATENT & TRADEMARK OFFICE

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on May 24, 2001

TOWNSEND and TOWNSEND and CREW LLP

By Kimberly Badiei
Kimberly Badiei

#4

PATENT

Attorney Docket No.: 18608-002910US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

KELLEHER, Brian et al.

Serial No.: 09/722,070

Filed: November 24, 2000

For: ELECTROMYOGRAPHY SYSTEM

Examiner: Unassigned

Art Unit: Unassigned

LETTER TO OFFICIAL DRAFTSPERSON

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicants submits nine (9) sheets of formal drawings to be made of record in the above-identified case.

Respectfully submitted,

David R. Heckadon
Limited Recognition

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